



Docket No. 4887-4001US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Charles Ferguson, et al.

Group Art Unit: 2188

Serial No.: 09/675,424

Filed: September 29, 2000

For: A Method and System for Integrating Network-Based Functionality into PC Applications and Documents

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

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MAY 25 2004

Sir:

Technology Center 2100

RESPONSE TO RESTRICTION REQUIREMENT

I. The Examiner's Restriction Requirement

In response to the Examiner's restriction requirement, Applicants submit the instant response and request for reconsideration. The Examiner has required restriction to one of the following patentably distinct groups of claims under 35 U.S.C. § 121:

Group I. Claims 1-4 and 34-37 drawn to managed object system, classified in class 709, subclass 316;

Group II. Claims 5, 6, 38-41, 62, and 63 drawn to high level application control classified in class 709, subclass 320.

Group III. Claims 7-23 and 42-51 drawn to managing software components, classified in class 717, subclass 120.

Group IV. Claims 24-30, 52-55, 70-72, 86-91, and 147-160 drawn to remote data accessing, classified in class 709, subclass 217.

Group V. Claims 31-33, 56, and 57 drawn to computer network managing, classified in class 709, subclass 223.

Group VI. Claims 58-61 drawn to application program interface, classified in class 709, subclass 328.

Group VII. Claims 64 and 65-69 drawn to computer network access regulating, classified in class 709, subclass 225.

Group VIII. Claims 73 and 74 drawn to software installation, classified in class 717, subclass 174.

Group IX. Claims 75 drawn to software configuration, classified in class 717, subclass 121.

Group X. Claims 76-78 drawn to component based, classified in class 717, subclass 107.

Group XI. Claims 79-85 drawn to software installation including downloading, classified in class 717, subclass 174.

Group XII. Claims 92-95 drawn to instruction issuing, classified in class 712, subclass 214.

Group XIII. Claims 96-120 drawn to instruction control, classified in class 712, subclass 220.

Group XIV. Claims 121-146 drawn to instruction issuing, classified in class 712, subclass 214.

II. Applicants' Election and Request for Reconsideration

Applicants respectfully request reconsideration of the restriction requirement in view of the following remarks.

Applicants provisionally elect to pursue prosecution of Group XIV, claims 121-146.

This election is however made with traverse. Applicants respectfully submit that for a restriction requirement to be proper, "[t]here must be a serious burden on the examiner if restriction is not required." M.P.E.P. §803. Applicant respectfully submits that (1) the groups of restricted claims are properly presented in the same application; (2) undue diverse searching should not be required to examine at least several of these groups together; and (3) therefore additional claims should be examined together.

Applicants note that Group XII, Claims 92-95, are directed to "instruction issuing, classified

in class 712, subclass 214", according to the instant restriction requirement. Applicants further note that the elected Group XIV, claims 121-146 are also directed to "instruction issuing, classified in class 712, subclass 214", according to the instant restriction requirement. In view of the identical characterization and classification of these claims by the Examiner, Applicants respectfully submit that there would be no undue burden on the Examiner to search these Groups of claims together. Accordingly, Applicants respectfully request that, at a minimum, claims 92-95 and 121-146 be examined in the instant application.

Moreover, upon a careful review of each of the claims as categorized by the Examiner, Applicants further respectfully submit that the claims of Groups IV, V and VII should also be examined with the elected Group of claims. In this regard, Applicants note that there would be no undue burden on the Examiner to search claims which involve the use of personal computer documents with network-based functionality in conjunction with the elected claims. In Applicants' view, the additional claim limitations directed to connecting a remote user to a central server (as recited in certain non-elected claims) would not alter the required search in such a manner so as to create an undue burden on the Examiner. For this reason, Applicants respectfully request that the Examiner withdraw the restriction requirement, at least as to the claims within Groups IV, V and VII.

Applicants respectfully request that the Examiner review the groups of claims in determining the similar search and examination requirements of these groups. For the foregoing reasons, it is respectfully submitted that the restriction requirement should be withdrawn and an action on the merits is respectfully requested .

In the event that a telephone conference would facilitate examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided. The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account 13-4500, order no. 4887-4001US1. Any extension of time which may be required is hereby petitioned. A duplicate of this sheet is attached.

Respectfully submitted,

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By: 

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Dated: May 18, 2004

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